

REMARKS

Applicant is in receipt of the Office Action mailed December 15, 2004. Claims 1-7, 13-19, and 25-31 were rejected. Claims 1, 3, 13, 15, and 25 have been amended. Claims 1-31 remain pending in the application.

Claims 8-12 and 20-24 have been allowed. Applicant appreciates the Examiner's consideration of these claims.

Claims 1 and 13 were rejected under 35 U.S.C. §102(e) as being anticipated by Holm et al. (U.S. Patent No. 6,820,164), hereinafter "Holm." Claims 2-7, 14-19, and 25-31 were rejected under 35 U.S.C. §103(a) as being unpatentable over Holm. Applicant respectfully traverses the rejections in light of the following remarks.

Applicant has amended claims 1, 3, 13, 15, and 25. Support for the amendments may be found at page 17, lines 14-18 and page 18, lines 5-24 of Applicant's specification. Applicant respectfully submits that the pending claims recite combinations of features not taught or suggested in the cited art.

For example, claim 1 (as amended) recites, in pertinent part: "wherein the recursion is terminated in response to reaching a predetermined recursion depth." Claim 1 (as amended) further recites, in pertinent part: "completing the device discovery by discovering remaining devices of the plurality of devices in a non-recursive manner." Holm does disclose the creation of a device tree to represent devices found during a PCI bus scan (col. 25, lines 37-52). Holm also discloses the recursive calling of device detection code (col. 27, lines 38-40). However, Holm does not teach or suggest terminating the recursion in response to reaching a predetermined recursion depth, thereby leaving "remaining devices" which are discovered in a non-recursive manner.

Claim 3 (as amended) recites, in pertinent part: "if the recursion level is less than a recursion depth, creating a level of device tree nodes branching from a root node or

another level of device tree nodes in the device tree; and if the recursion level is not less than the recursion depth, terminating the recursion in the building the device tree.” In building a device tree, Holm does not teach or suggest checking a recursion level and terminating the recursion if the recursion level has reached a recursion depth.

Claim 25 (as amended) recites, in pertinent part: “wherein the recursion control process causes the control unit to control recursion in device discovery by terminating recursion in response to reaching a predetermined recursion depth in a device tree.” As discussed above, Holm does not teach or suggest terminating the recursion in response to reaching a predetermined recursion depth.

For at least the reasons discussed above, Applicant respectfully submits that independent claims 1, 3, 8, 13, 15, 20, and 25 are patentably distinct from Holm. The remaining dependent claims provide additional limitations to the independent claims. Therefore, Applicant submits that claims 1-31 are in condition for allowance. Applicant respectfully requests withdrawal of the §102(e) and §103(a) rejections.

CONCLUSION

In light of the foregoing amendments and remarks, Applicants submit that all pending claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. If a phone interview would speed allowance of any pending claims, such is requested at the Examiner's convenience.

The Commissioner is authorized to charge any fees which may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5681-56400/BNK.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

Respectfully submitted,



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